



11/17/04 office petition

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Attorney Docket No. GFB-1 DIV1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jens Kossmann et al.  
Application No. : 09/843,007  
Confirmation No. : 9893  
Examiner : Stuart F. Baum  
Filed : April 26, 2001  
Group Art Uni : 1638  
For : DNA SEQUENCE CODING FOR ENZYMES  
CAPABLE OF FACILITATING THE SYNTHESIS OF  
LINEAR  $\alpha$ -1,4 GLUCANS IN PLANTS, FUNGI AND  
MICROORGANISMS

New York, New York  
November 16, 2004

**Mail Stop 313(c)**  
Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION FOR WITHDRAWAL FROM ISSUE  
UNDER 37 C.F.R. § 1.313(c)(2)

Sir:

Pursuant to 37 C.F.R. § 1.313(c)(2), applicants hereby petition to withdraw the  
above-identified patent application from issue. 37 C.F.R. § 1.313 states in relevant part that:

(c) Once the issue fee has been paid, the  
application will not be withdrawn from issue upon  
petition by the applicant for any reason except:

\* \* \*

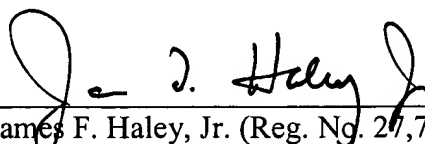
(2) Consideration of a request for continued  
examination in compliance with § 1.114;

Applicants paid the issue fee on September 29, 2004. Applicant requests that the application be withdrawn from issue to permit: (1) consideration of a Request for Continued Examination ("RCE") of this application under 37 C.F.R. § 1.114 (filed concurrently herewith) and (2) consideration in the RCE of a Preliminary Amendment (filed concurrently herewith). Thus, applicants have satisfied the requirements of 37 C.F.R. § 1.313(c)(2).

In the accompanying Transmittal Letter (filed in duplicate herewith), the Director is authorized to charge the amount of \$790.00, in payment of the filing fee set forth in 37 C.F.R. § 1.17(e) for the RCE; \$130.00, in payment of the fee set forth in 37 C.F.R. § 1.17(h) for consideration of this Petition; and any additional fee required in connection with this Petition, or any of the papers filed herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075.

Accordingly, applicant requests that this Rule 313(c)(2) Petition be granted and the above-identified application be withdrawn from issue in favor of the RCE (filed concurrently herewith), in order to reopen prosecution and allow consideration of the Preliminary Amendment (filed concurrently herewith).

Respectfully submitted,

  
James F. Haley, Jr. (Reg. No. 27,794)  
Attorney for Applicants  
c/o FISH & NEAVE LLP  
Customer No. 1473  
1251 Avenue of the Americas  
New York, NY 10020  
Tel.: (212) 596-9000  
Fax.: (212) 596-9090